

Available Controls and Tools

Subdivision Regulations

Subdivision regulations are locally adopted laws governing the process of converting raw land into building sites. From the planner's view, subdivision regulations are important at two distinct levels. First, they enable him to coordinate the otherwise unrelated plans of many individual developers. This process assures that provision is made for land development elements such as roadway right-of-way, parks, school sites, water lines and sewer outfalls, and so forth. Second, they enable him to control the internal design of each new subdivision so that its pattern of streets, lots, and other facilities will be safe, pleasant, and economical to maintain.

To be most effective, subdivision regulations and their administration must be closely coordinated with other local governmental policies and ordinances. Among the more important of these are the Comprehensive Growth Plan, Utilities Extension Master Plan, and Thoroughfare Plan.

In practice, subdivision regulations can provide some very positive benefits such as requiring portions of major streets to be constructed in accordance with the Thoroughfare Plan, or requiring subdividers to provide for the dedication and/or reservation of rights-of-way in advance of construction. These practices reduce the overall cost of the plan by having some costs borne by developers. Recommended Subdivision Ordinances are included in Appendix B.

Zoning Ordinances

Zoning is probably the single most commonly used legal device available for implementing a community's land-use plan. To paraphrase the U.S. Department of Commerce 1924 Standard Zoning Enabling Act, on which most present-day legislation is based, zoning may be defined as the division of a municipality (or other governmental unit) into districts, and the regulation within the districts of:

1. the height and bulk of buildings and other structures,
2. the area of a lot that may be occupied and the size of required open spaces,
3. the density of population, and
4. the use of buildings and land for trade, industry, residence, or other purposes.

The characteristic feature of the zoning ordinance that distinguishes it from most other regulations is that it differs from district to district, rather than being uniform throughout a city. Thus, a given area might be restricted to single-family residential development with minimum lot size requirements and setback provisions appropriate for development. In other areas, commercial or industrial development might be permitted, and regulations would be enacted to control such development. Building